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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>08 January 2007</u>.

2a)☐ This action is **FINAL.**   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-38</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-38</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☒ All b)☐ Some * c)☐ None of:

      1.☒ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

Priority

1.   Applicant's claim for benefit of foreign priority under 35 U.S.C. 119 (a) – (d) is

acknowledged.

    The application is filed on 11/30/2006 but is a 371 case of PCT/FR05/00553 application

filed on 3/8/2005 and has a foreign priority application filed on 3/8/2004.

Claim Rejections - 35 USC § 101

    35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine, manufacture, or composition of
> matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the
> conditions and requirements of this title.

2.   Claim 20 is rejected under 35 U.S.C. 101 as not falling within one of the four statutory

categories of invention. While the claim(s) recite(s) a series of steps or acts to be performed, a

statutory "process" under 35 U.S.C. 101 must (1) be tied to particular machine, or (2) transform

underlying subject matter (such as an article or material) to a different state or thing. See page

10 of In Re Bilski 88 USPQ2d 1385. The instant claim(s) is/are neither positively tied to a

particular machine that accomplishes the claimed method steps nor transform underlying

subject matter, and therefore do not qualify as a statutory process. The recited method

claim(s) including steps of modifying, transmitting and reconstituting is (are) broad enough that

the claim(s) could be completely performed mentally, verbally or without being tied to a machine

nor is any transformation apparent. Any other claims not addressed are rejected by virtue of

their dependency.

Drawings

3.   The subject matter of this application admits of illustration by a drawing to facilitate

understanding of the invention. Applicant is required to furnish a drawing under 37 CFR 1.81(c).

No new matter may be introduced in the required drawing. Each drawing sheet submitted after

the filing date of an application must be labeled in the top margin as either "Replacement Sheet"

or "New Sheet" pursuant to 37 CFR 1.121(d).

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly
> claiming the subject matter which the applicant regards as his invention.

4.   Claim 20 is indefinite because the claim language "the original compressed digital text

comprising modified blocks" is not clearly recited in the claim. The only claim limitation prior to

this instant claim limitation, as the 1st claim limitation, recites "modifying at least one binary data

in one of the blocks and hence <u>it is not clear</u> regarding "the digital text comprising modified

blocks", whether "a <u>modified</u> compressed digital text" and "the <u>original</u> compressed digital text

comprising modified blocks" are the same and besides, it is not clear what is exactly constituted

an original compressed digital text when need to be used as an antecedent basis.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public
> use or on sale in this country, more than one year prior to the date of application for patent in the United
> States.
> (e) the invention was described in (1) an application for patent, published under section 122(b), by
> another filed in the United States before the invention by the applicant for patent or (2) a patent

> granted on an application for patent by another filed in the United States before the invention by the
> applicant for patent, except that an international application filed under the treaty defined in section
> 351(a) shall have the effects for purposes of this subsection of an application filed in the United States
> only if the international application designated the United States and was published under Article 21(2)
> of such treaty in the English language.

5.   Claims 20, 24 – 32, 35 and 38 are rejected under 35 U.S.C. 102(e) as being anticipated

by Bishop et al. (U.S. Patent 2004/0148356).

As per claim 20, Bishop teaches a process for secure distribution of compressed digital

texts formed by blocks of binary data stemming from digital transformations applied to an

original text, comprising:

modifying at least one binary data in one of the blocks according to at least one

substitution operation comprising extracting the binary data in a block and replacing it

with a decoy (Bishop: Para [0074], Para [0124] and Para [0007]: a message block is

compressed / encrypted to generate a decoy);

transmitting a modified compressed digital text in conformity with a format of the

original compressed digital text comprising modified blocks (Bishop: Para [0074], Para

[0007], Para [0124] and Para [0040]: a sender can create content as a separate file, encode it

using a standalone encryption program such as "crypt" or "WinZip" (a compression), and attach

it to a message);

transmitting by a separate path the modified compressed digital text and digital

complementary information (Bishop: claim-33: the message content key is sent from the

sending agent to the recipient agent on a different path than the electronic message); and

reconstituting the original compressed digital text by a calculation on equipment

of an addressee as a function of the modified compressed digital text and of the

complementary information (Bishop: Para [0041]).

As per claim 24 and 26 – 31, Bishop teaches the binary data represents a prior position in the digital text generated during decoding and the decoy represents a different prior position in the digital text generated during decoding (Bishop: Para [0074], Para [0124] and Para [0007]: a message block is compressed / encrypted to generate a decoy representing a different prior position in the digital text generated during decoding).

As per claim 32 (& claim 25 and 30), Bishop teaches compressed digital text reconstituted from the modified compressed digital text is identical to the original compressed digital text (Bishop: Para [0040]).

As per claim 35, Bishop teaches applied to compressed digital texts stemming from an Adobe PDF format (Bishop: Para [0123]).

As per claim 38, Bishop teaches:

at least one server containing original compressed digital texts (Bishop: Para [0040]);

an apparatus for analyzing the compressed digital text (Bishop: Para [0040] and Para [0107]);

an apparatus for separating the original compressed digital text into a modified compressed digital text and into complementary information as a function of the analysis (Bishop: Para [0040]);

at least one telecommunication network for transmitting (Bishop: Para [0074], Para [0007] and Para [0040]); and

at least one apparatus in equipment of an addressee for recomposition of the original

compressed digital text as a function of the modified compressed digital text and the

complementary information (Bishop: Para [0041]).

6.   Claims 20 – 32 are rejected under 35 U.S.C. 102(b) as being anticipated by MacCrisken

(U.S. Patent 4,730,348).

As per claim 20, MacCrisken teaches a process for secure distribution of compressed

digital texts formed by blocks of binary data stemming from digital transformations applied to an

original text, comprising:

modifying at least one binary data in one of the blocks according to at least one

substitution operation comprising extracting the binary data in a block and replacing it

with a decoy (MacCrisken: Column 2 Line 37 – 44);

transmitting a modified compressed digital text in conformity with a format of the

original compressed digital text comprising modified blocks (MacCrisken: Column 2 Line

37 – 44 and Column 6 Line 29 – 32 / Line 39 – 42: if the original compressed digital text

indicates the data is not being efficiently compressed, the system invokes a modified

compressed digital text by utilizing a table changer to modify the data content);

transmitting by a separate path the modified compressed digital text and digital

complementary information (MacCrisken: Column 9 Line 48 – 51, Column 4 Line 34 – 39,

Column 6 Line 39 – 40 and Column 2 Line 4 – 7: the compressed message and the table

change escape code are divided into a number of separate packets where the forwarding path

of each packet can be virtually considered as a separate path); and

reconstituting the original compressed digital text by a calculation on equipment

of an addressee as a function of the modified compressed digital text and of the

complementary information (MacCrisken: Column 1 Line 10 – 16).

As per claim 21 – 24 and 27 – 29, MacCrisken teaches the binary data represents an

entry into a coding table and the decoy represents a different entry into the coding table

(MacCrisken: Column 2 Line 37 – 44 and Column 6 Line 29 – 32 / Line 39 – 42).

As per claim 25, 26, 30 – 32, MacCrisken teaches the binary data and the decoy have

the same size (MacCrisken: Column 1 Line 61 – 67: automatically adapts to different data

patterns including the same size or different sizes).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

7.   Claims 33, 36 and 37 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Bishop et al. (U.S. Patent 2004/0148356), in view of Welch et al. (U.S. Patent 5,861,827).

As per claim 33, 36 and 37, Bishop does not disclose expressly applied to compressed

digital texts stemming from an LZW / TIFF / GIF compression format.

Welch teaches applied to compressed digital texts stemming from an LZW / TIFF / GIF

compression format (Welch: Column 1 Line 20 – 41).

It would have been obvious to a person of ordinary skill in the art at the time the

invention was made to combine the teaching of Welch within the system of Bishop because

Welch teaches a data compression and decompression system that can improve expense /

cost, control overhead and process time (Welch: Column 2 Line 7 – 15).

8.   Claim 34 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bishop et al.

(U.S. Patent 2004/0148356), in view of Bucher et al. (U.S. Patent 6,829,390).

As per claim 34, Bishop does not disclose expressly applied to compressed digital texts

stemming from an ZLIB/DEFLATE compression format.

Bucher teaches applied to compressed digital texts stemming from an ZLIB/DEFLATE

compression format (Bucher: Column 3 Line 1 – 7).

It would have been obvious to a person of ordinary skill in the art at the time the

invention was made to combine the teaching of Bucher within the system of Bishop because

Bucher teaches a high compression encoding technique suitable for high speed transmission

(Bucher: Abstract).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to LONGBIT CHAI whose telephone number is (571)272-3788. The examiner can normally be reached on Monday-Friday 9:00am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William R. Korzuch can be reached on (571) 272-7589. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Longbit Chai/

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        4/24/2009